

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH D. GRAY, ) 4:08CV3107  
                      )  
Plaintiff,         )  
v.                   ) **ORDER**  
                      )  
WYUKA CEMETERY,    )  
                      )  
Defendant.         )

IT IS ORDERED that any portion of the defendant's motion to dismiss ([filing 4](#)) that was left undecided by the court's memorandum and order entered on July 10, 2008 ([filing 10](#)), is hereby denied without prejudice, as moot.

September 11, 2008.

BY THE COURT:

s/ Richard G. Kopf  
United States District Judge